IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

Bail Appl..No. 4770 of 2007(A)

(IN CRIME NO. 305/2007 OF TALIPARAMBA POLICE STATION, KANNUR DT.)

PETITIONERS/ACCUSED NO.2 & 7:

1. CHERI FAIZAL @ K.P.P. FAIZAL,
AGED 22 YEARS, S/O. ABDUL RAHMAN, KUNDAMKUZHI
PUTHIYAPURAYIL, KAPPALAM, TALIPARAMBA P.O.,
TALIPARAMBA AMSOM, DESOM, TALIPARAMBA TALUK,
KANNUR DISTRICT.

2. THAVALA RAZIK @ KODIYIL RAZIK, S/O.KAMAL
AGED 22 YEARS, KAKKATHODU, TALIPARAMBA P.O.,
TALIPARAMBA AMSOM, DESOM, TALIPARAMBA TALUK,
KANNUR DISTRICT.

BY ADV. SRI.V.A.SATHEESH

RESPONDENTS: COMPLAINANT:

STATION HOUSE OFFICER,
TALIPARAMBA POLICE STATION, KANNUR DISTRICT.
(CRIME NO.305/07 OF TALIPARAMBA POLICE STATION,
KANNUR DISTRICT), REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/08/2007 ALONG WITH BA NOS. 4777/2007 AND 4763/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J
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B.A.Nos.4770,4763 &
4777 of 2007
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Dated this the 7th day of August, 2007

ORDER

The common petitioners, two in number are accused in three different crimes all registered at the Taliparamba Police Station, Kannur District, for offences punishable, inter alia, under Section 436 IPC. These incidents are part of a series of incidents that have taken place between the two different political groups within the jurisdiction of Taliparamba Police Station. Investigation is in progress. The petitioners who allegedly belong to the IUML,who allegedly are guilty of overt acts against the complainants who belong to the CPM, were arrested on 9.7.07. They continue in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigating officer is granted some reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions. In the absence of the objection by the learned Public Prosecutor , it is not necessary to advert to the facts in greater detail.

3. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 14.8.07. The Investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds in each case for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the Investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months. Thereafter, they shall make themselves available for interrogation as and when directed by the investigating officer in writing to do so.

iv) The petitioners shall not enter the jurisdiction of Taliparamba Police Station for a period of two months from the date of release except for the purpose of complying with the condition No.(iii).

(R.BASANT, JUDGE)

sj